

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,)
Plaintiff(s),) NO. CR 04-677-TUC-FRZ (CRP)
vs.)
Juan Alberto Rosales Valenzuela)
Rogelio Umberto Cota-Valenzuela,)
Defendant(s).)

This matter was referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B) and the local rules of practice of this Court for hearing and report and recommendation on Defendant's Motion to Suppress Statements (Doc #48) and Motion to Suppress the Search (Doc #39).

On November 22, 2005, Magistrate Judge Charles R. Pyle conducted a hearing and on December 22, 2005 issued his Report and Recommendation. (Doc #59) A copy was sent to all parties. Neither party filed objections to the Magistrate Judge's Report and Recommendation.

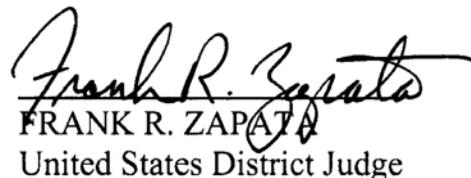
The Court, having made an independent review of the record herein, orders as follows:

IT IS ORDERED that Magistrate Judge Pyle Report and Recommendation is ACCEPTED and ADOPTED by this Court as the findings of fact and conclusions of law in this matter.

IT IS ORDERED that the Motion to Suppress is DENIED with the exception of the statement that "...Jesus would be arriving soon."

IT IS FURTHER ORDERED that the Motion to Suppress the Search is DENIED.

DATED this 11th day of January, 2006.


FRANK R. ZAPATA
United States District Judge